

be "generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words ..." On review of the abstract submitted together with the patent application, it was found that the abstract was in fact submitted on two sheets that are separate from the rest of the patent application. Further, although the abstract may appear long (e.g., over 250 words) since it is submitted on two separate sheets, in fact the abstract is only 203 words in length and therefore is in proper form. Accordingly, it is respectfully requested that the objection to the abstract be withdrawn.

However, if this objection is maintained in a subsequent Office Action, it is respectfully requested that the specific problem found in the abstract be conveyed so that the Applicant may comply with all reasonable and proper requests. Further, it is requested that if this objection is maintained in a subsequent Office Action, that the subsequent Office Action be made non-final so that the Applicant be given a proper chance to correct the abstract in a non-final response. It is respectfully submitted that a non-final Office Action is proper since the July 6, 2000 Office Action does not provide the Applicant with notice as to what is in fact improper in the abstract.

Claims 1-18 are rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,049,823 to Hwang ("Hwang").

Hwang shows an interactive television system that can provide video-on-demand services, shopping, and games on a "private viewing channel" as well as on a "group viewing channel" (see, Col. 1, lines 58-61). In this way, a user may interact with a number of group-based games and services. For the purposes of increasing effective bandwidth, channel-processors (1) are mutually accessible (see, Col. 5, lines 7-10) and communicated in a peer-to-peer workgroup (see, Col. 5, lines 34-38).

Hwang describes in effect, two types of content viewing. Group-viewing includes programming introductory information, games, group discussions, and shopping. Private-viewing includes movie on-demand, video games, shopping, hotel information and services, and remote office applications (see, Col. 13, lines 35-48).

What Hwang is in fact describing is a system for providing multimedia with a hotel-type establishment wherein movies and video games are provided to each of the hotel rooms (e.g., see, FIG. 3a, and the accompanying description starting on Col. 13, line 54 and continuing thereafter). This is not an environment

wherein query information is shared amongst the televisions of the various patrons of the hotel nor is this use suggested. In fact, in each of the applications, users are sending requests, such as gaming commands (see, Col. 16, lines 53-56), fast forward (video on-demand), transaction information, or specific data is sent or received, such as chat-room information, or confirmation information for a purchase.

To facilitate setup and maintenance of the system, Hwang shows that the channel-processor may query the iTVpanel for "current state information" (see, Col. 14, line 30, though Col. 15, line 15). In Hwang, it is the iTVpanel that connects to a television. In fact, the only query information that the iTVpanel provides is directly from the iTVpanel to the channel-processor. It is proper that each Applicant may be "their own lexicographer" in defining (and interpreting for that matter) terms utilized within a given patent or patent application. Hwang's state information pertains to acting states of the iTVpanel. Hwang in fact discloses three possible states for the iTVpanel including ready (see, Col. 14, lines 37-39), session (see, Col. 14, lines 40-43), and initial (see, Col. 14, lines 51-54). This information is in fact the only information that would be required for maintenance and service of the described network

including video on-demand bandwidth and content.

Arguably, this information may also be communicated to an iTVserver, but in no instances, is it disclosed, suggested, or even reasonable to expect that this information is provided to another hotel guest through another respective iTVpanel.

The claims of the present patent application can not reasonably be interpreted to be so broad.

Specifically, Hwang does not disclose or suggest (emphasis provided) "[a] television comprising ... a processor configured to provide query information to the other television and configured to provide queried information in response to a query request from the other television" as required by Claim 1. Hwang in fact only contemplates the iTVpanel sharing information with a channel-processor as discussed above. In terms of the present invention, a "query request" is a request for "information identifying content currently watched on the queried television ..." (see, the patent application, page 4, lines 11-14). Hwang does not disclose or suggest this sharing amongst televisions or even this type of information to be shared. Accordingly, Claim 1 is patentable over Hwang and an indication to that effect is respectfully requested. Claims 7 and 12 are respectively, a system and method requiring similar elements as Claim 1 and are

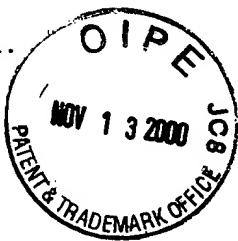
therefore also allowable and an indication to that effect is respectfully requested.

In addition, Claims 2-6, 8-11, and 13-18 respectively depend from one of Claims 1, 7, and 12 and therefore are also patentable for at least this reason as well as for the individual elements found in each of the claims. For example, Hwang does not disclose or suggest "query compliance status information" as defined by the patent application. This definition utilized in the patent application may not be ignored to make it read on Hwang's acknowledgements between an iTVserver and channel-processor (see, Col. 17, lines 35-43).

In the present application, the "query compliance status" is a determination of whether a queried television is setup to share content identifying information with a given querying television (see, patent application page 8, lines 12-15). Applicant is free to utilize and define terms in the application and these definitions should not be ignored when viewing the prior art. However, even in that stretch, Hwang could not be said to anticipate under 35 U.S.C. §102 these claims elements as required by at least Claims 3-5, 8-10, 14, and 16-18. Nor does Hwang disclose or suggest each television receiving information identifying each other television of a plurality of televisions

as essentially required by Claims 13 and 14. For all of the above, Claims 2-6, 8-11, and 13-18 and 18 are also patentable over Hwang. Accordingly, allowance of Claims 2-6, 8-11 and 13-18 is also respectfully requested.

A sincere effort has been made to place the application in suitable condition for allowance and notice to that effect is requested.



Respectfully submitted,

By 
Gregory L. Horne, Reg. No. 29,989
November 6, 2000
Attorney, Tel.: 914-333-9665

RECEIVED
NOV 20 2000
Technology Center 2600

CERTIFICATE OF MAILING

It is hereby certified that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

On 11/06/00
By G. Lampricht